



IT IS ORDERED as set forth below:

Date: October 12, 2021

Wendy L. Hagenau

**Wendy L. Hagenau
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In Re:

Normandy Meshon Huff, a/k/a Normandy
Huff a/k/a Normandy M Huff,
Debtor.

Chapter 13

Case No. 19-50672 - WLH

Ally Bank, its successors or assigns,

Movant,

V.

Normandy Meshon Huff, a/k/a Normandy
Huff a/k/a Normandy M Huff, Debtor
And Nancy J. Whaley, Chapter 13 Trustee

Respondents.

Contested Matter*

ORDER DENYING MOTION FOR RELIEF

This matter arose upon the Motion of Ally Bank, for itself, its successors and assigns, (hereinafter referred to as "Movant"), *Motion for Relief from the Stay* of 11 U.S.C. § 362 filed on

March 10, 2021 (Doc No. 69) (hereinafter referred to as the “Motion”) scheduled by Movant for hearing on March 31, 2021 and upon notice which Movant contends was given to all parties in interest. For the purposes of this hearing, Debtor and Movant stipulate the following:

Movant contends it has a valid, installment sales contract for the purchase of a 2019 Toyota Rav4 automobile, VIN: JTMW1RFV7KD019803 (the “Vehicle”); At the time the Motion for Relief was filed, Debtor was behind in the post-petition mortgage payments to Movant.

The arrearage through September 14, 2021, totals \$1,038.00, consisting of the attorney fees and costs associated with filing the Motion.

Movant claims it is not now adequately protected, but Debtor asserts the Collateral is necessary for Debtor’s rehabilitation. Accordingly, from the foregoing stipulations, the parties agree that:

1. The amount of post-petition arrearage owed by Debtor as of September 14, 2021 is \$1,038.00, and it shall be paid as set forth below;
2. Movant acknowledges Debtor has tendered funds in the sum of \$1,038.00 on September 28, 2021 to cure the post-petition arrears.

Debtor shall continue to pay directly to Ally Financial Inc. at PO Box 78234 Phoenix, AZ 85062 \$512.88 on the first (1) day of each month to be applied to the regular monthly payment. Regular monthly payments begin October 1, 2021.

ORDERED that if the Debtor fails to make any payment as it comes due under the terms of this Order, for any reason whatsoever, or if insurance coverage as required by the terms of the contract between the parties lapses for any reason whatsoever for six (6) months from the entry of this Order, Debtor is entitled to three (3) written Notice of Default. The written Notice of Default shall be sent by First Class Mail to the Debtor and counsel for Debtor, at the addresses on the

docket at the time the notice is sent, and a failure by the Debtor to cure the default within ten (10) days of receipt of such notice, Movant may file a motion and affidavit of default with the Court, with service upon Debtor, and counsel for Debtor, and the Court may enter an order modifying the automatic stay without further notice or hearing. Upon entry of an Order modifying the automatic stay, Movant shall be allowed to establish and file an amended proof of claim reflecting any deficiency.

FURTHER ORDERED, the parties further agree and acknowledge that in the event of closure, termination, dismissal or conversion of the debtor's bankruptcy case the terms of this consent order are null and void and the parties are returned to the *status quo* with their respective rights under state law and the contract.

By consent, therefore, it is hereby

ORDERED that Motion is denied and the agreement of the Movant and Debtor as set forth above is *approved*.

END OF DOCUMENT

Prepared by:

Read and Approved by:

/s/ Kathlyn Flora

Ibrahim Fouad

Khashan

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No Opposition:

/s/ Ryan J. Williams (with express permission)

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